



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.9657 of 2011

and

M.P(MD)No.2 of 2011

1.Rasu Thevar
2.Ramamsamy Thevar
3.Kalyani

... Petitioners

Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Tashildhar,
Harijan Welfare,
Usilampatti,
Thirumangalam Taluk,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the second respondent herein in his proceedings in Na.Ka.No.223/2003/A, dated 03.02.2006 and to quash the same.

For Petitioners : G.Chandrasekar

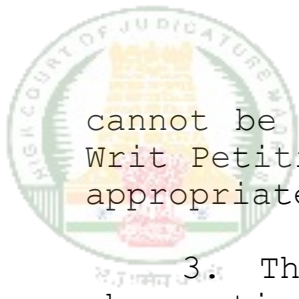
For Respondents : Mr.D.Sasikumar

Additional Government Pleader

ORDER

The present Writ Petition has been filed challenging the award passed by the second respondent herein under Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978. As per the said enactment, as against the award passed by the second respondent, an appeal lies under Section 9 before the first respondent. Further, a second appeal lies before the High Court under Section 13. Since the statutory alternative remedies are available as against the impugned order, the present Writ Petition is not maintainable.

2. However, the learned Counsel for the writ petitioner submits that pursuant to the acquisition proceedings, possession was not taken by the authorities and hence, he is entitled to the benefits under Section 24 of Central Act 30 of 2013. However, the said issue



cannot be decided in the present writ petition. Hence, the present Writ Petition is dismissed with liberty to the petitioner to file an appropriate Writ Petition.

3. The Writ Petition stands dismissed with the above said observations. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

btr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The District Collector,
Madurai, Madurai District.

2.The Tashildhar,
Harijan Welfare,
Usilampatti,
Thirumangalam Taluk,
Madurai District.

+1 CC to M/s.SPL.GP (SR-25166[F] dated 10/06/2022)

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NSN(CO)
KB(20.06.2022) 2P 4C